

WEBB COUNTY, TEXAS COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI Webb County Judge (956) 523-4600

FRANK SCIARAFFA Commissioner, Precinct 1 (956) 523-4660

JUDITH G. GUTIERREZ Commissioner, Precinct 2 (956) 523-4624

JERRY GARZA Commissioner, Precinct 3 (956) 523-4625

CINDY CORTEZ BRUNNER Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA Webb County Clerk (956) 523-4251

HOMERO RAMIREZ Webb County Attorney (956) 523-4044

LEO FLORES Webb County Auditor (956) 523-4016

DELIA PERALES WEBB COUNTY TREASURER (956)523-4051

PUBLIC NOTICE

COMMISSIONERS COURT MEETING
Webb County Courthouse
1000 Houston Street, 2ND Floor
Laredo, Texas 78040
APRIL 11, 2005 1:00 p.m. and continuing
APRIL 12, 2005
1:00 p.m.

- 1. Call to order by the Honorable County Judge, Louis H. Bruni
- 2. Roll call by the Honorable County Clerk, Margie Ibarra
- 3. Pledge of Allegiance
- 4. Approval of Minutes for March 14, 2005
- 5. Approval of Bills, Payroll and Monthly Reports
- 6. Communications
- 7. Public Comment- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE

- 8. Sheriff's proclamation: "National Crime Victims Rights Week," April 10-16.
- 9. Sheriff's proclamation: "National Telecommunicator's Week," April 10-16.
- **10.** Discussion regarding the sale of the "Pershing Desk," the circumstances under which it was sold, including the buyer, purchase price, manner and time of payment, with possible action to rescind the sale, if possible, and any other matters incident thereto.
- 11. Status report on oil/gas litigation by Webb County as Trustee for school lands, including surface damages for any oil/gas wells on school lands with discussion and possible action as deemed appropriate by the court regarding representation, litigation, and pending claims.
- **12.** Final report on rain enhancement for 2004 by the South Texas Rain Enhancement Association.
- 13. Status report on the current state of drug related gang violence in the two Laredos with discussion and possible action to order an exception to the competitive bidding process as necessary to preserve and protect the public health and safety of the residents of Webb County thereby allowing the Webb County Sheriff, together with the Webb County Purchasing Agent, to immediately purchase equipment and material according to its priority equipment list, and any other matters incident thereto.
- **14.** Discussion and possible action to appoint Mr. Robert Summers and Mr. Ambrosio Garza as Directors on the Board of the Webb County Drainage District 1.

HONORABLE FRANK SCIARAFFA, COMMISSIONER PRECINCT 1

15. Discussion and possible action to impose a hiring freeze until further notice for all departments under the direct supervision of the Commissioners Court, and any other matters incident thereto. [Co- Sponsored by Commissioner Cindy Cortez Brunner]

HONORABLE JUDITH G. GUTIERREZ, COMMISSIONER PRECINCT 2

- 16. Discussion and possible action to authorize Mr. Juan Vargas, Director of Economic Development and Mr. Tomas M. Rodriguez, Jr., P.E., Webb County Engineer, to negotiate an interlocal agreement with the City of Laredo to pay FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) to the City of Laredo from the Tanquecitos I Sanitary Sewer Collection System Project, TCDP Contract #722205 for the construction of a Sanitary Sewer System in colonia Tanquecitos I and any matters incident thereto.
- 17. Report from Turner Collie & Braden on the status of the Water and Sewer Improvements Project on Colonias located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd)

HONORABLE JERRY GARZA PRECINCT 3

- **18.** Discussion and possible action to enter into a Letter of Understanding for Services with Official Payments Corporation ("OPC") which will allow citizens to pay, by electronic means, fees, fines, court costs or other charges imposed by the Webb County Justice of the Peace, Precinct 4, and authorizing the Webb County Judge to sign all relevant documents.
- **19.** Discussion and possible action to set a date for a special meeting to discuss reorganization of the Risk Management/Human Resources Department.
- **20.** Discussion and possible action to appoint Dr. Michael Yoder to the Webb County Rural Rail District Committee.
- **21.** Discussion and possible action to appoint Daniel Barrera to the Webb County Grievance Committee.
- **22.** Staff update on identifying an employee slot number and possible funds available for a public information officer.

HONORABLE CINDY CORTEZ BRUNNER PRECINCT 4

23. Discussion and possible action to appoint Ms. Idalia Lerma to the Community Action Agency Advisory Board.



AUDITOR

- **24.** Discussion and possible action to approve a line item transfer from Park Development Pct. 3 Acct. No. 695-6004-8710-3 for \$4,465.00 to Capital Outlay Series 2002 Acct. No. 696-1120-8801 to purchase a scanner for the County Clerk.
- **25.** Discussion and possible action to approve a transfer of \$1,000 from the Materials & Supplies to the books and subscriptions line item for the 341St District Court.

From: Materials & Supp. 001-1003-6205\$1,000 \$1,000.00 To: Books & Sub. 001-1003-6010\$1,000 \$1,000.00

COMMUNITY ACTION AGENCY

- **26.** Discussion and possible action for approval to accept <u>additiona</u>! funding from Texas Department of Housing and Community Affairs (TDHCA), for the Comprehensive Energy Assistance Program (CEAP), FY 2005, in the amount of **\$124,610.00**.
- **27.** Discussion and possible action to accept grant award from the Texas Department of Housing and Community Affairs (TDHCA) for the Weatherization Program, FY 2005-06, in the amount of \$ 173, 646.00.

Grant Award is for two (2) Program components:

Low-Income Heating & Energy Assistance (LIHEAP) = \$ 93,408.00

Department of Energy Grant (DOE) = \$ 80,238.00

CONSTABLE PCT. 3

28. Discussion and possible action to approve a Line Item Transfer as follows:

From: Telephone Account # 001-2501-6004 \$ 1,000.00 To: Uniform Account # 001-2501-6202 \$ 1,000.00

COUNTY ATTORNEY

- 29. Discussion and possible action to enter into a design-build contract with CG Construction Inc., D/B/A CC Construction in the amount of TWO HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED NINETY-THREE DOLLARS AND TEN CENTS (\$226,593.10) for the construction of a new administration building and stage canopy at LIFE Downs and authorizing the County Judge to sign all relevant documents. Back-up already submitted.
- 30. Discussion and possible action to enter into an annual non-financial cooperative agreement with the South Texas Food Bank for the Webb County Community Action Agency to act as a "pantry" for the distribution of USDA commodities supplied to the Community Action Agency by the South Texas Food Band and authorizing the Webb County Judge to execute all relevant documents. [Requested by Community Action Agency]
- 31. Discussion and possible action to approve a Local Match Fund with Border Region MHMR for FY 2004 in the amount of TWENTY THOUSAND DOLLARS (\$20,000.00) and for FY 2005 in the amount of TWENTY THOUSAND DOLLARS (\$20,000.00) and any matters incident thereto and authorizing the County Judge to sign all relevant documents.
- **32.** Discussion and possible action to accept 3 rights of way, out of Pueblo Nuevo Subdivision, 3 rights of way out of D-5 Acres Subdivision, one (1) right of way out of Ranchitos Penitas West Subdivision, and 7 rights of way out of Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.
- **33.** Discussion and possible action to set the process, procedure and timelines for the submission and evaluation of applications for the Third Party Funding and any matters incident thereto.

34. Discussion and possible action to enter into a professional services agreement for architectural services with Turner, Hickey and Associates to inspect and evaluate the Court House Annex structural conditions and provide a recommendation on improvements required to protect the structure, correct hazardous material (remediation), replacement and repair of roof, repair or replace mechanical equipment (HVAC), correct architectural barriers to include ADA compliance, historic preservation and meet all local, state and federal safety and building code requirements for a fee of six percent (6%) of construction cost with final plans and specifications due no later than eight (8) months from notice to proceed and authorizing the County Judge to sign all relevant documents.

COUNTY CLERK

35. Discussion and possible action to approve the purchase of one (1) Fujitsu M 4097D Flatbed Scanner in the amount of \$4,464.79 plus shipping from Commissioner Pct. 3, Capital Outlay Account No. 696-1120-8801.

COUNTY TAX ASSESSOR COLLECTOR

- 36. Discussion and possible action to approve request from the Tax Assessor Collector's Office, Dept 0700, Casa, Voz de Los Ninos, a non-profit organization, is requesting office space at the Tex-Mex Building, in the SW corner, known as the Engineering Dept., space not to exceed 1,000 sq. ft. CASA is also requesting access to telephone lines and the internet.
- **37.** Discussion and possible action for the Commissioners Court to approve requests from the Tax Assessor-Collector's office, Dept. 0700: Refunds due as follows:
 - EOG Resources (Minerals) c/o Ernst & Young LLP 1401 McKinney #1200, Houston, TX 77010-2007 Accts. #038365222, 038365622, 038365722 Reason: Split as per new Division Order for 2004 Total Refund: \$20,858.10
 - Team Iron Angel, LTD
 1310 N. Bartlett Ave., Laredo, TX 78043-3446
 Acct. #90090381014
 Reason: Protest 2004, 11147 Determined on 3/17/05 for 2004
 Total Refund: \$2,646.76

ECONOMIC DEVELOPMENT

- **38.** Discussion and possible action on approving a resolution authorizing the submission of a grant application to the Texas Department of Housing and Community Affairs HOME Investment Partnership Program. This program would provide funding for the rehabilitation / reconstruction of homes for low to very low income families residing in Webb County's colonias. Grant amount not to exceed \$500,000. No Cash Match.
- **39.** Discussion and possible action to authorize the filling of a temporary grant position, Slot # 2211 (Housing Intake Clerk) at \$8.25 per hour based on experience, at no cost to the General Fund.

ENGINEER

- **40.** Discussion and Possible Action Authorizing the negotiations of Change Order No. 4 to Satterfield & Pontikes Construction, Inc., to delete the construction of the raw water intake structure and raw water pump station.
- **41.** Discussion and Possible Action Authorizing Change Order No. 2 to Gilbert Texas Construction, Inc. Increasing the Contract from \$1,819,946.64 by \$53,414.00 to a total of \$1,873,360.64. The increase is due to additional storm drainage for the TXDOT Border Colonias Access Program Rio Bravo Paving and Storm Drainage Phase I Project.
- **42.** Discussion and Possible Action Authorizing Change Order No. 4 to Closner Construction, Inc. Increasing the Contract from \$1,074,944.32 by \$66,682.23 to a total of \$1,141,626.55, and increase in time of 75 days. This Change Order is due to the installation of an 8 inch water line on the west side of Pena to prevent the cutting of the street. It also will allow the installation of four fire hydrants at El Pico Rd to meet the City's requirements for the Los Corralitos Plat. This is for the water line replacement TWDB-EADP Project and TXDOT Border Colonias Access Program Los Corralitos Project.
- **43.** Discussion and Possible Action Rescinding the selection of URS Corporation for the Hazard Mitigation Plan that occurred on April 26, 2004, and authorizing the Purchasing Agent and the County Engineer to advertise for "Request For Proposals" for a "Flood Mitigation Plan for Colonias on Hwy 59".

44. Discussion and Possible Action Authorizing Change Order No. 3 increasing the contact price from \$1,500,289.80 by \$67,303.16 to \$1,567,592.96 to Jimmy Closner Construction Company for the TWDB-EDAP El Cenizo Water Line Replacement Project.

HEAD START

45. Discussion and possible action to fill slot # <u>2051</u>, part-time Substitute Teacher (15 hrs/week for 10 months) with an annual salary of \$4,721, effective April 12, 2005 through May 28, 2005 for a total prorated salary of \$750.75.

INDIGENT SERVICES

46. Discussion and Possible Action to approve the following changes for personnel of the Webb County Indigent Services Department effective April 11, 2005. The salary increases are equal to the salary decreases and the amount of personnel costs budgeted for fiscal year 2004-2005 will remain unchanged"

PURCHASING

47. Discussion and possible action for the Commissioners' Court to appointment the following as a scoring committee to evaluate the proposal for the William N. Hall Bldg. Art Plan P-2005-03:

Yolanda Carrillo Cordelia Valdez Eliza Martinez Martha Martinez Cynthia Mares Esther Moreno

- **48.** Discussion and possible action for the Commissioners Court to award/reject Bid No. 2005-48 "One 86 x 68 Sq. Ft. Modular Building" for the Webb County Head Start Program in the amount of \$281,330.00 from Comark Building Systems.
- 49. Discussion and possible action to award/reject the following: Bid 2005-55 "Rio Bravo Storm Drainage Project Phase II" P-2005-04 "Street Paving and Storm Drainage for Colonias" P-2005-05 "Boys and Girls Club for City of Rio Bravo, Texas" Q-2005-06 "Preliminary Geotechnical & Phase I Environmental Services Former Dipping Vat Site"

50. Discussion and possible action to approve the following six (6) applicants for solicitation of bids sponsored by ORCA Program for the Economic

Development Program:

Rosa De Leon	1606 Margarita	Rio Bra	avo, TX
Veronica Gonzalez	1813 Patricia	Rio Bra	avo, TX
Maria Celis	1215 Paseo del Tibe	er "	"
Alma Gomez	504 Rio Hudson	"	"
Susana Vela	1844 Gladiola	"	"
Maria Romo	508 Hudson	"	"

51. Discussion and possible action for the Commissioners Court to award/reject the following bids for the CAA-Weatherization Program and CEAP program to the following vendors:

Bid No. 2005-49 Weatherization Contractors for Labor & Materials

Primary- Juan Rodriguez Secondary-AA Builders

Bid No. 2005-50 Weatherization Contractors for Attic &Wall Insulation

Primary-Border Insulation

Bid No. 2005-51 Window A/C Units, Space Heaters & Refrigerators

Primary-Juan Rodriguez

Bid No. 2005-52 Water Heaters

Primary-AA Builders

Secondary-City Plumbing

Bid No. 2005-53 Central Heating/Cooling Units (HVAC)

Primary-AA Builder

EXECUTIVE SESSION

52. Discussion and possible action to grant Cerrito Gathering Company, Ltd. an easement and pipeline right of way over the Webb County School Lands, known as the Llano and/or Penjamo Pastures, and authorizing the County Judge to sign all relevant documents. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

- 53. Discussion and possible action regarding use of County property along US Highway 59 by: 1) Laredo Rifle and Pistol Club; 2) Combined Law Enforcement Agencies Range; and 3) Law Enforcement Range. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 54. Status report on Cause # 2003-CVQ-1374-D1 Webb County v Chevron U.S.A., Inc. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 55. Status report on Cause # 2003-CVQ-001368-D2 Webb County v Conoco, Inc. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 56. Discussion and possible action relating to Bid # 2004-72 Webb County School Lands Cuchillas and Lomas Pastures Hunting Lease. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 57. Discussion and possible action to hire the Law Firm of Allison, Bass & Associates, L.L.P. to represent Webb County's interest regarding the Proposed Regional Landfill on Highway 359 by the Regional Land Management Services, LTD, for a type 1 Municipal Solid Waste Permit (No. MSW-2286) and any matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- 58. Discussion and possible action to rescind the Court's action of February 14, 2005 approving a contract with Tetra Tech, Inc., and authorizing the County Engineer to negotiate with the next qualified proposer for Proposal #P`-2004-4 "Secondary Water Source Exploration," and any matters incident thereto. [Executive Session is requested pursuant to Texas government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].
- 59. Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS DAY OF APRIL, 2005.
By: YOLANDA L. CARRILLO COURT ADMINISTRATOR
CERTIFICATION OF NOTICE AND POSTING
I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place

readily accessible to the general public at all times on the day of

_, 2005 and said notice remained so posted continuously for

COUNTY CLERK, WEBB COUNTY, TEXAS

at least 72 hours preceding the scheduled time of said meeting.

DATED THIS ______, 2005